

Application No. 10/726,522

Attorney Docket No. XA-10008

REMARKS

Applicant respectfully requests favorable reconsideration of this application, as amended.

Claim 5 has been canceled to reduce the issues. Claims 1-4 have been amended, and Claims 6 and 7 have been added. As a consequence of the foregoing actions, all of which have been taken without prejudice or disclaimer, Claims 1-4, 6 and 7 are active in the application.

With respect to Examiner's objections to Claims 1 and 5, Claim 1 has been amended to address the informality noted by Examiner. Claim 5 has been canceled as noted above.

Independent claim 1 stands rejected under 35 U.S.C. 103(a) as being unpatentable over JP 2588338 (JP '338) in view of Ikeda et al. (U.S. 6,467,807 B2). Without acceding to the rejection, Claim 1 has been amended to more clearly distinguish the subject matter thereof from cited references.

As presently defined in amended Claim 1, the steering column apparatus of Applicants' invention comprises a telescopic position fixing mechanism which includes a lock housing disposed on an outer column, first and second press blocks, each slidably held within a bore of the lock housing, and a bolt passing through the first and second press blocks. The first and second press blocks have the

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bolt non-threadably received therein so as to be slidable on the bolt, and are movable toward and away from each other to press and release the inner column so as to fix and release the telescopic position of the steering column. A press block driving mechanism moves the first and second press blocks toward and away from each other.

In contrast to Applicants' claimed invention, the primary reference, JP '338, teaches the use of a pair of movable pieces 25 and 27, at least one of which threadably receives a fastening bolt which threadably drives the movable piece in order to clamp and release a steering column 22. There is nothing whatsoever in JP '338 that would have suggested Applicants' invention to one of ordinary skill in the art.

Ikeda's use of a cam, in a mechanism that evidently differs significantly from JP '338, would not have suggested modifying JP '338 in such a manner as necessary to attain Applicants' invention as set forth in amended Claim 1. Indeed, such modification of JP '338 would require a wholesale reconstruction of the reference in a manner that is inconsistent with its intended mode of operation (threaded driving of a movable piece threaded to the fastening bolt). Absent the benefit of hindsight in view of Applicants' present teachings, one of ordinary skill in the

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art would have had no motivation to engage in such reconstruction of the primary reference.

Accordingly, Claim 1 distinguishes patentability from JP '338 and Ikeda, and should now be allowed. Claims 2-4 should also be allowed, at least in view of their dependency from Claim 1.

Independent Claims 6 and 7 have been added to provide more comprehensive protection for certain aspects of Applicants' invention. These claims are allowable for reasons similar to those discussed above with respect to Claim 1. Note that each of Claims 6 and 7 recites, inter alia, that the first and second press blocks have the bolt non-threadably received therein so as to be slidable on the bolt, similarly to Claim 1.

Accordingly, this application is in condition for allowance and should now be passed to issue.

The Commissioner is hereby authorized to charge to Deposit Account No. 50-1165 (XA-10008) any fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this paper and to credit any overpayment to that Account. If any extension of time is required in connection with the filing of this paper and has not been separately requested, such extension is hereby requested.

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